

**THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION**

CIVIL CASE NO. 1:11cv304

TODD WILSON SHORT,)	
)	
Plaintiff,)	
)	
vs.)	<u>ORDER</u>
)	
STEVEN D. COGBURN, et al.,)	
)	
Defendants.)	
_____)	

THIS MATTER is before the Court on the Plaintiff's Motion for Voluntary Dismissal Without Prejudice, or, Alternatively to Allow Next Friend to Join Action and Respond to the Motions to Dismiss [Doc. 32], filed January 30, 2012.

Upon review of the Plaintiff's motion, the Court concludes that the motion to dismiss should be allowed.

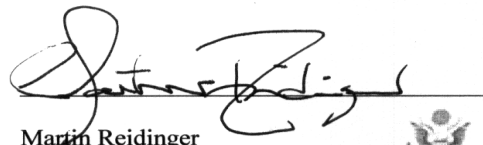
Accordingly, **IT IS, THEREFORE, ORDERED** that the Plaintiff's Motion for Voluntary Dismissal Without Prejudice [Doc. 32] is **ALLOWED**, and the Plaintiff's Complaint is hereby **DISMISSED WITHOUT PREJUDICE**.

IT IS FURTHER ORDERED that the alternative relief sought in the Plaintiff's Motion [Doc. 32] is **DENIED AS MOOT**.

IT IS FURTHER ORDERED that the Objection and Motion to Dismiss filed on behalf of Defendants Cogburn, Case and Smith [Doc. 25]; Plaintiff's Motion for Leave to File Third Amended Complaint [Doc. 27]; Plaintiff's Unopposed Motion for an Extension of Time to Respond to Motion to Dismiss [Doc. 28]; and Plaintiff's Renewed Motion for an Extension of Time to Respond to Motion to Dismiss [Doc. 29] are hereby **DENIED AS MOOT**.

IT IS SO ORDERED.

Signed: January 31, 2012


Martin Reidinger
United States District Judge

